

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2115 of 2025

Arising Out of PS. Case No.-416 Year-2023 Thana- BARHARIA District- Siwan

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Guddu Ram Son of Late Maharaj Ram Resident of Village- Ranipur, P.S.-
Barharia, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Barharia P.S. Case No. 416 of 2023, registered for the alleged offence under Sections 304(B)/201/34 of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant was married with petitioner Guddu Ram. The allegation against the petitioner and other co-accused persons is that they killed the daughter of the informant and burnt her dead body. Further allegation is that there was demand of a motorcycle and torture related to said demand..

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The informant has deliberately not disclosed the date of marriage as the marriage was solemnized in the year 2013 and the occurrence took place in 2023, i.e., after lapse of 10 years and hence, no offence under Section 304(B) of IPC is made out. The deceased has three children and eldest son is aged about 09 years and two daughters are aged about 07 years and 05 years, respectively. It is not believable that there would be a demand of motorcycle and dowry and a lady having three children would be done to death after 10 years of her marriage. Learned counsel further submits that death of the daughter of the informant was accidental fall from roof and the parents of the deceased were informed and in their presence dead body was cremated. Learned counsel further submits that the independent witnesses, during investigation, also stated about the accidental fall of the deceased from roof. The informant also admits that he received information from the family members of the petitioner. The petitioner is in custody since 24.04.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes oppose the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



vague and improbable nature of allegation and further considering the possibility of accidental death and false implication and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Siwan/court concerned in connection with S.T. No. 334 of 2024 arising out of Barharia P.S. Case No. 416 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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